
SENATE BILL 5447

State of Washington

60th Legislature

2007 Regular Session

By Senators Hatfield, Jacobsen, Honeyford, Hargrove, Poulsen, Benton and Rasmussen

Read first time 01/19/2007. Referred to Committee on Natural Resources, Ocean & Recreation.

1 AN ACT Relating to ensuring a sustainable coastal Dungeness crab
2 fishery; adding a new section to chapter 77.12 RCW; adding a new
3 section to chapter 77.70 RCW; creating a new section; and providing an
4 expiration date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that the coastal
7 Dungeness crab fishery is one of the most valuable commercial fisheries
8 in Washington state. For example, the 2004-05 season resulted in
9 landings of twenty-one million pounds with an estimated ex-vessel value
10 of over thirty million dollars. The fishery represents a vital
11 economic foundation for many coastal communities.

12 Since 1994, the coastal Dungeness crab fishery has faced
13 significant pressure and has undergone many regulatory changes stemming
14 from issues relating to the sustainability of the resource, the safety
15 and sustainability of the fleet, interstate and federal jurisdiction
16 questions, as well as allocation issues.

17 In order to further promote the sustainability of the coastal
18 Dungeness crab resource, the coastal crab fleet, and coastal

1 communities, the legislature intends to institute a coastal Dungeness
2 buyback program in cooperation with the federal government.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.12 RCW
4 to read as follows:

5 (1) The department shall develop a Dungeness crab-coastal fishery
6 buyback program. The department shall design the program with the
7 goals of maximizing the sustainability of the crab resource and of the
8 Dungeness crab-coastal fleet.

9 (2) The program must provide for the purchase and permanent
10 retirement of Dungeness crab-coastal fishery licenses. The department
11 shall design this element of the program with the goal of purchasing
12 between eighty and one hundred Dungeness crab-coastal fishery licenses.

13 (3) In addition to license purchase and retirement, the program may
14 provide for the purchase of vessels designated on Dungeness crab-
15 coastal fishery licenses.

16 (4) The program must be premised upon contributions by the state
17 equaling twenty-five percent of the moneys necessary to implement the
18 program and contributions by the federal government equaling seventy-
19 five percent of the necessary moneys.

20 (5)(a) The department must include in the program those elements
21 necessary for the administration of the buyback, including the
22 mechanisms by which Dungeness crab-coastal license holders may apply to
23 participate in the program and by which the department will select
24 licenses or vessels for purchase from among the applicants.

25 (b) The program must also include and clearly set forth any
26 conditions that will be placed on Dungeness crab-coastal license
27 holders participating in the program.

28 (6) Participation by Dungeness crab-coastal license holders in the
29 program is entirely voluntary.

30 (7) The department shall consult with Dungeness crab-coastal
31 license holders when designing the program.

32 (8) To assist the department in the development of the program, the
33 department may contract with persons not employed by the state.

34 (9) By December 1, 2007, the department shall provide a report
35 detailing the program to the appropriate policy and fiscal committees
36 of the senate and house of representatives.

37 (10) This section expires June 30, 2010.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 77.70 RCW
2 to read as follows:

3 (1) The Dungeness crab-coastal fishery buyback program account is
4 created in the custody of the state treasurer. All receipts from
5 appropriations, federal contributions, or other funds received to carry
6 out the purposes of a Dungeness crab-coastal fishery buyback program
7 must be deposited in the account. Expenditures from the account may be
8 used only for the purposes of implementing a Dungeness crab-coastal
9 fishery buyback program. The director may not exceed a state-funded
10 share of twenty-five percent for each license or vessel purchased under
11 the program. Only the director, or the director's designee, may
12 authorize expenditures from the account. The account is subject to the
13 allotment procedures under chapter 43.88 RCW, but an appropriation is
14 not required for expenditures.

15 (2) The department shall solicit funding for a Dungeness crab-
16 coastal fishery buyback program from all appropriate sources.

17 (3) The department may not implement a Dungeness crab-coastal
18 fishery buyback program until the director determines that the account
19 created in subsection (1) of this section contains the funds necessary
20 to purchase sufficient licenses or vessels to significantly improve the
21 sustainability of the crab resource and of the Dungeness crab-coastal
22 fleet.

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